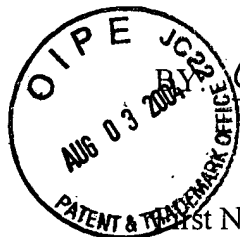


I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450, ON THE DATE INDICATED BELOW.



Date: 7/30/04

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: Hisaaki Gyoten, §
et al. §
§
Conf. No.: 5187 § Group Art Unit: 1745
§
Appln. No.: 10/069,900 § Examiner: Raymond Alejandro
§
Filing Date: February 26, 2002 § Attorney Docket No.: 10059-410US
§ (P23466-01)
Title: POLYMER ELECTROLYTE FUEL CELL

TERMINAL DISCLAIMER TRANSMITTAL LETTER

Submitted herewith is a Terminal Disclaimer and Statement of Common Ownership with respect to the above-identified patent application.

- ☒ A check in the amount of \$110.00 for the statutory disclaimer fee is enclosed herewith.
- ☒ The Commissioner is hereby authorized to charge Deposit Account No. 50-1017 (Billing No. 210059.0410) as noted below. A duplicate copy is enclosed.
- ☐ Statutory disclaimer fee in the amount of \$____.00.
- ☒ Any deficiencies or overpayments in the above-calculated fee.

Respectfully submitted,

Hisaaki GYOTEN, et al.

30 July 2004
(Date)

By:

KRISTYNE A. BULLOCK

Registration No. 42,371

AKIN GUMP STRAUSS HAUER & FELD LLP

One Commerce Square

2005 Market Street, Suite 2200

Philadelphia, PA 19103-7013

Telephone: 215-965-1200

Direct Dial: 215-965-1348

Facsimile: 215-965-1210

E-Mail: kbullock@akingump.com

KAB:cmb
7240344



I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450, ON THE DATE INDICATED BELOW.

BY: 

Date: 7/30/04

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | | |
|-----------------------|----------------------------------|---|---|
| First Named Inventor: | Hisaaki Gyoten, <i>et al.</i> | § | |
| | | § | |
| Conf. No.: | 5187 | § | Group Art Unit: 1745 |
| | | § | |
| Appln. No.: | 10/069,900 | § | Examiner: Raymond Alejandro |
| | | § | |
| Filing Date: | February 26, 2002 | § | Attorney Docket No.: 10059-410US (P23466-01) |
| | | § | |
| Title: | POLYMER ELECTROLYTE FUEL CELL | | |

TERMINAL DISCLAIMER AND STATEMENT OF COMMON OWNERSHIP

In accordance with 37 C.F.R. § 1.321(b), Petitioner, Matsushita Electric Industrial Co., Ltd., having a place of business in Osaka, Japan, represents that it is assignee of the whole and entire right, title and interest in and to the above-identified application, by an Assignment recorded at Reel 012845, Frame 0991.

Moreover, Petitioner represents that is it the assignee of the whole and entire right, title and interest in and to United States Patent No. 6,660,419 ("the '419 patent") by an Assignment recorded at Reel 011500, Frame 0221.

Based on a review of evidentiary documents relating to the chain of title from the original owner to Petitioner, the undersigned hereby certifies that to the best of her knowledge and belief, both the present application and the prior patent are commonly owned by Petitioner.

Petitioner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the present application which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. § 154 to § 156 of the '419 patent.

Petitioner hereby agrees that any patent so granted on the present application shall be enforceable only for and during such period that it and the '419 patent are commonly owned.

This agreement runs with any patent granted on the present application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, Petitioner does not disclaim any terminal part of any patent granted on the present application that would extend to the expiration date of the full statutory term defined in 35 U.S.C. § 154 to § 156 of the '419 patent, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable or is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or is terminally disclaimed under 37 C.F.R. § 1.321, has all claims cancelled by a re examination certificate, or is in any manner terminated prior to the expiration of its full statutory term.

The undersigned representative of Petitioner is empowered to act on behalf of Petitioner.

Respectfully submitted,

Hisaaki GYOTEN, et al.

30 July 2004
(Date)

By:

KRISTYNE A. BULLOCK

Registration No. 42,371

AKIN GUMP STRAUSS HAUER & FELD LLP

One Commerce Square

2005 Market Street, Suite 2200

Philadelphia, PA 19103-7013

Telephone: 215-965-1200

Direct Dial: 215-965-1348

Facsimile: 215-965-1210

E-Mail: kbullock@akingump.com

KAB:cmb

7240336